LAND POLICY

AND

CONSTITUTION

OF THE PEOPLE

OF

BILL MOORES SLOUGH

STATEMENT OF INTENT

We the Yup'ik people of Bill Moore's Slough being the original inhabitants of our land, having been placed here by our creator, to be the keepers of our land and having maintained this land as our creator intended us to keep it since the beginning, hereby declare our intent to continue managing it as we have always managed it in the past.

In the past as well as the present our land and the culture of our people have been intertwined to the point where it would not be possible to maintain our traditional values and lifestyle should our land be alienated, alterated or otherwise changed from it's traditional relationship with our people.

Therefore, it is our intent and the intent of this policy to maintain our land for all time forever for traditional uses.

Furthermore, while others may attempt to change or eliminate our culture by methods of separating our people from our land, let it be known that we will resist such attempts.

Let there be no misinterpretation nor ambiguities in this policy, it is a policy dedicated to the preservation of our traditional values, culture and lifestyle that we have maintained since the beginning.

As a further point of clarification it is the position of Bill Moore's Slough that our people would not have survived as a people without maintaining our traditional relationship with the land. Therefore let this written land policy be considered by all parties concerned to be not only an integral part of the constitution of the people of Bill Moore's Slough but to be the primary law of our people and the basis for our cultural survival.

LAND POLICY

RULE ONE

A) Our land shall not be sold, leased, used as collateral or otherwise put in jeopardy of tribal ownership without written approval of 98% of the Bill Moore's Slough membership.

B) Our land shall not be exploited for commercial or mineral development nor be disturbed in any way that is not consistent with maintaining it for subsistence and traditional uses without written permission of 98% of the Bill Moore's Slough membership eligible to vote.

C) Rule One may not be amended nor may it be superceded by any subsequent action by any authority including but not limited to the Bill Moore's Slough Elder's Council.

ARTICLE L-P 1

A) The Bill Moore's Slough members shall be Ledwina T. Akaran, Elizabeth A. Andrew, Clara Andrews, Edward Andrews, Ester Andrews, Fredrick H. Andrews, Laura K. Andrews, Molly Hunt, Benedict Aparezuk, Celestine Aparezuk, Christine Aparezuk, Hermus J. Aparezuk, Hilda L. Aparezuk, Joseph M. Aparezuk, Martina A. Aparezuk, Rachel E. Aparezuk, Thecla C. Goodwin, Joann M. Horn, Francis B. Hunt, Charles F. Hunt, Cyrl Hunt, Dominic Hunt, Grace D. Hunt, Marie M. Hunt, Roy Hunt, Theresa J. Katcheak, Anthony M. Keyes Jr., Alma J. Keyes, Xavier F. Keyes, Emmanuel Keyes, Kimberly Keyes by Martha Keyes, Pius W. Keyes by Martha Keyes, Veronica A. Milton, Alex A. Okitkun by Mark M. Okitkun, Brenda C. Okitkun, Delores A. Okitkun, John B. Okitkun, Linda R. Okitkun, Mark M. Okitkun, Nora C. Okitkun, Peter J. Okitkun, Wayne A. Okitkun, Laurentia T. Sinka, Mary M. Unok, George M. Waska Jr. , Agnes D. Waska, Dominic L. Waska, Eugenia M. Bender, Joan R. Waska, Anna M. Yunak, and their descendants.

B) All members and their descendants shall have the right to occupy the land necessary for

their existance. While the land shall be owned by the tribe communally, the occupants shall be entitled to all other rights normally associated with land ownership, and his or her space of occupancy shall be respected by all Tribal members.

C) The Bill Moore's Slough Elders Council shall set policy as necessary as to each individual's use of the land and the acreage necessary for such usage consistent with Rule One of the Bill Moore's Slough Land Policy.

ARTICLE LP-2

A) This land policy shall be in effect over all lands conveyed to the Kongnikilnomuit Yiuta Corporation under the terms of the Alaska Native Claims Settlement Act of 1971 and all future lands to be conveyed under the terms of the Alaska Native Claims Settlement Act of 1971 and subsequently transferred to the village of Bill Moore's Slough.

B) Lands retained by the Kongnikilnomuit Yuita Corporation for the purpose of economic development shall be exempt from Rule 1 and Article LP-1 of this Land Policy.

C) Lands retained by Kongnikilnomuit Yuita Village Corporation may be exchanged on an acre for acre basis with the Bill Moore's Slough Elders Council for lands within the populated village area provided these trades are to benefit the health and/or welfare of the people of the village of Bill Moore's Slough and are not for reasons of commmercial development. These lands so acquired by the Kongnikilnomuit Yuita Village Corporation shall remain exempt from Rule 1 and Article LP-1 of this land policy.

WE THE PEOPLE OF THE VILLAGE OF

BILL MOORE'S SLOUGH

In order to protect our way of life, our land and its resources meet future challenges to our survival, to better govern ourselves and to reaffirm our unique status as Native Americans, to reconfirm the many laws passed by the Congress of the United States, and previously being upheld by the numerous Supreme Court decisions declaring this unique status as a Nation within a Nation hereby adopt this document as the

CONSTITUTION OF THE PEOPLE OF THE VILLAGE OF

BILL MOORE'S SLOUGH

ARTICLE I

A) The Bill Moore's Slough Elders Council shall pass all resolutions and laws dealing with land issues in conformity with the Bill Moore's Slough Land Policy.

B) The Bill Moore's Slough Elders Council shall protect, preserve and defend the Bill Moore's Slough land, land policy and it's peoples traditional relationship with the land to the best of it's ability.

ARTICLE II

A) The Bill Moore's Slough Elders Council shall pass no laws jeopardizing certain freedoms and rights deemed to be given our people by our people's creator.

Amoungst these freedoms and rights are:

The freedom to government by and for the people.

The right to speak one's Conscience.

The right to an education relevant to one's way of life.

Freedom from want, hunger, pain and fear.

The right to liberty.

The right to be Yup'ik.

All rights guaranteed by Federal law including but not limited to Title II of the Indian Civil Rights Act of 1968.

ARTICLE III

Section I

A) The governing body of Bill Moore's Slough shall be the Bill Moore's Slough Elders Council to be composed of one council member for every 40 members or no less than five council members, and always an odd number including the chairman.

B) Each council member shall have one vote except the chairman who shall vote only in the event of a tie vote between the council members.

C) The chairman shall have the right to veto any legislation passed by the council.

D) The council may override a chairman's veto with a four-fifths majority vote.

E) The council shall be elected for a term of three years.

ARTICLE IV

The Bill Moore's Slough Elders Council shall pass such laws as necessary to implement this constitution for and in the best interests of the people.

ARTICLE V

The Bill Moore's Slough Elders Council shall perform all Judicial functions ; the procedures to be set by ordinance.

ARTICLE VI

A) Any Council Member shall be subject to recall by an 80% majority vote by all members of Bill Moore's Slough upon a finding that the Council Member has violated or ignored the articles or the intent of this constitution.

B) Any Council Member may be recalled by an 80% majority vote by all members of Bill Moore's Slough eligible to vote as set forth in Article XI Section C of this document.

ARTICLE VII

The authority of the Government establisted by this constitution shall extend over all lands conveyed to the Kongnikilnomuit Yuita Village Corporation under the terms of the Alaska Native Claims Settlement Act of 1971 including those lands exempted from Rule 1 and Article LP-1 under Section B of Article LP-2 of the Bill Moore's Slough Land Policy.

ARTICLE VIII

A) The membership of Bill Moore's Slough shall be those persons listed as shareholders of the Kongnikilnomuit Yuita Village Corporation as of the date of adoption of this constitution as listed in Article LP-1 of the Bill Moore's Slough Land Policy.

B) Upon adoption of this Constitution all descendants of the original membership shall be enrolled as members and all future descendants shall be enrolled upon notification of birth provided they are at least 25% Yup'ik Eskimo. The procedures to be set by ordinance.

ARTICLE IX Procedures

Section 1

The Elders Council shall hold meetings and actions in accordance with the following procedures which it may augment by its own rules of procedure so long as they do not conflict with any provisions of this Constitution.

A) Regular meetings of the Elders Council shall be held each month at a time and place to be set by the Council.

B) Special meetings of the Elders Council may be called by the chairman at his or her discretion, but the chairman must call a special meeting upon request of three or more members of the Council.

C) The agenda shall be set by the chairman, provided that it shall include any item submitted upon the request of three or more members of the Council. The agenda shall be provided to council members not less than five days prior to any regularly scheduled meeting and at the time notice is given of any special meeting. Items may be added to the agenda at a Tribal Council meeting upon concurrence of three or more members.

D) A majority of members of the Elders Council shall constitute a quorum. Matters of business shall be decided by majority vote except where otherwise required by this Constitution and the Tribal Council's own rules as set forth by ordinance. Voting shall be by roll call vote and the ayes and nays shall be recorded in the minutes.

E) All meetings of the Elders Council shall be open to the membership of the the village of Bill Moore's Slough. However, the council may recess at it's discretion to discuss any matter in a closed or executive session, provided, that the general subject matter discussed is expressed in the motion calling for such session and no final or official action is taken thereon in the closed or executive session.

F) All final decisions of the council on matters of general and of permanent interest to the members of the tribe shall be embodied in ordinances. The ordinances shall be collected and made available to tribal members and others affected upon request.

G) All final decisions of the Tribal Council on matters of temporary interest shall be embodied in resolutions. The resolutions shall be collected and made available to tribal members and others affected upon reasonable request.

H.) All questions of procedure shall be decided by motion duly passed, or by the ruling of the chairman if no objection is heard.

ARTICLE X Elections

A) Voters

All duly enrolled members of Bill Moore's Slough who are eighteen (18) years of age or older shall have the right to vote in all tribal elections.

B) Manner of Voting

All elections shall be by secret ballot, except that the membership of Bill Moore's Slough may take advisory recommendations to the council by voice vote or show of hands at general council meetings. Voting by mail and absentee ballot shall be provided for by ordinance. The ordinance shall require that such ballots be made available to members sufficiently in advance of any election to permit the ballots to be submitted by voters to the tribal office prior to the scheduled date of the election. Ballots so submitted shall be counted along with ballots cast in person at the polls.

C) Tribal Council Election

Elections for the Elders Council shall be held every three years on the first Tuesday after the first Monday in November. The times and places of voting shall be designated by the council. New members shall take office on January first of the following year.

D) Candidates for the Tribal Council must be duly enrolled members of Bill Moore's Slough who will be at least eighteeen (18) years of age on the date of the election. Candidates must file

statements of their candidacy with the Election Board not less than thirty days before the annual election. The Election Board shall make public the list of candidates not less than 15 days before the election.

Each voter shall be allowed to cast one vote for each vacancy on the Tribal Council. No more than one vote per candidate shall be cast. The winners shall be chosen by plurality according to the rank order of votes received. In the event of a tie, the winner shall be chosen by flipping a coin under the supervision of the Election Board.

E) The Tribal Council shall enact an election ordinance consistent with the provisions of this Constitution. The ordinance shall include provisions for appointment by the Tribal Council of a three-member Election Board. The members of the Election Board shall serve for set terms of office and shall be removable prior to the expiration of their terms only for cause. No person who holds any elective tribal office or is a candidate for such office shall be eligible to serve on the Election Board. The Election Board shall supervise all tribal elections, verify peitions by tribal members, and perform such other duties as are set by the election ordinance. The ordinance shall include provisions for settlement of election disputes, including the right to appeal to the Election Board whose decision shall be final.

F) First Election

Notwithstanding the above provisions, the election of the first Tribal Council under this Constitution shall be in accordance with an election ordinance enacted by the Interim Tribal Council which accords as much as is feasible with the above provisions and which is made available to the tribal membership no more than 90 days after certification of the adoption of this Constitution. The ordinance shall provide that the election will be held on the following first Tuesday after the first Monday in November.

G) In the event that any elected tribal office becomes vacant between elections, the chairman shall recommend a person who meets the requirements of a candidate for that position to fill the vacancy. Such person shall assume office to serve the remainder of the term upon appproval of the appointment by the Tribal Council (Elders Council) by majority vote by the remaining council members.

ARTICLE XI

A) Initiative

Upon receipt and verification by the Election Board of a petition of at least 30% of the membership of the Bill Moore's Slough eligible to vote, a proposed ordinance or resolution made by the people shall be submitted to a vote of the membership at a regular or special election to be held within sixty days of verification of the petition by the Election Board. The vote of a majority of those actually voting shall be conclusive and binding upon the Tribal Council.

B) Referendum

Upon request and verification by the Election Board of a petition of at least 30% of the membership of Bill Moore's Slough eligible to vote, any proposed or previously enacted ordinance or resolution of the Tribal Council shall be submitted to a vote of the Bill Moore's Slough membership at a regular or special election to be held within sixty days of verification of the petition by the Election Board or by vote of the Council. The vote of a majority of those actually voting shall be conclusive and binding upon the Tribal Council.

C) Recall

Upon receipt and verification by the Election Board of a petition of at least 30% of the membership eligible to vote, it shall be the duty of the Counci to call a special election to consider the recall of the elected tribal official named in the petition. The election shall be held within thirty days of verification of the the petition of the Election Board.

D) Ordinance

Initiative, referendum and recall procedures shall be set by an ordinance by the Tribal Council, provided that the procedures shall accord with the elections articles of this Constitution where appropriate.

ARTICLE XII

This Constitution may be ammended by a 90% majority vote of all members eligible to vote.

ARTICLE XIII

This document when signed by 98% of the membership listed in Article LP-1 Section A shall be considered adopted and shall be the Law of our people.

Adopted this day of ,1988.

Voting for :

Voting Against: